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Attorneys for Defendants
Wells Fargo Advisors, LLC and Wells Fargo Advisors
Financial Network, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRENT BALKEMA, as Trustee for the Jesse J.
Balkema Rev Trust, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

WACHOVIA SECURITIES, LLC; WACHOVIA
SECURITIES FINANCIAL NETWORK, LLC;
WELLS FARGO ADVISORS, LLC; and
WELLS FARGO SECURITIES FINANCIAL
NETWORK, LLC,

Defendants.

No. CV 11 00412 SC

**JOINT STIPULATION BETWEEN
PLAINTIFFS AND DEFENDANTS
AND ~~[PROPOSED]~~ ORDER RE:
DATES FOR FILING RESPONSIVE
PLEADING**

Place: Courtroom 1
Judge: Hon. Samuel Conti

This Stipulation is entered into by and among plaintiff Brent Balkema, on the one
hand, and defendants Wells Fargo Advisors, LLC and Wells Fargo Advisors Financial Network,
LLC, on the other hand, with the following facts:

1 A. Plaintiff filed his Complaint in the above-captioned matter in the Southern
2 District of Indiana on or about November 23, 2009;

3 B. Defendants filed their Motion To Dismiss Plaintiff's Complaint in the
4 Southern District of Indiana on or about May 3, 2010;

5 C. The case was transferred to this Court with Defendants' Motion still
6 pending on January 28, 2011;

7 D. At the Court's instruction, Defendants refiled their Motion in this Court on
8 April 19, 2011;

9 E. The Court denied Defendants' Motion and consolidated this action with
10 the related proceeding, *Kagan et al. v. Wachovia Securities, LLC et al.* (No. CV 09-5337 SC) on
11 July 5, 2011;

12 F. The parties have stipulated, and the Court has ordered, that the deadlines
13 pertaining to Plaintiffs' Motion for Class Action Certification shall be extended into August,
14 2011 (*see* Docket Entry 74);

15 **IT IS HEREBY STIPULATED AND AGREED as follows:**

16 1. Defendants' response to Plaintiff's Complaint is currently due on Tuesday
17 July 19, 2011;

18 2. During the last several weeks, the parties have engaged in extensive good faith
19 settlement discussions and have agreed on the framework in principle for reaching a final
20 settlement agreement. The parties anticipate that they will complete their negotiations before the
21 deadlines agreed to in the Stipulation and Order signed by the Court on June 23, 2011 (Docket
22 Entry 74);

23 3. Should the parties reach an agreement on a final settlement, Defendants' response
24 to Plaintiff's Complaint will be moot and the parties do not wish to burden the Court with
25 unnecessary filings;

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28 //

A/74440905.1

1 4. The parties jointly request that the deadline for Defendants' response to Plaintiff's
2 Complaint be extended to August 5, 2011.

3
4 DATED: July 15, 2011

Bingham McCutchen LLP

5
6 By: /s/ Sarah L. Bishop
7 Donald S. Davidson
8 Michael D. Blanchard
9 Kevin J. Woods
10 Sarah L. Bishop
11 Attorneys for Defendants

12
13 DATED: July 15, 2011

Kabateck Brown Kellner LLP

14
15 By /s/ Karen Liao
16 Richard L. Kellner
17 Karen Liao
18 Attorneys for Plaintiffs

19
20 I, Sarah L. Bishop, attest that I have on file all holograph signatures for any
21 signatures indicated by a "conformed" signature within this efiled document.

22
23
24 **IT IS SO ORDERED.**

25 Defendants shall file an Answer to the Complaint on or before August 5, 2011.

26
27 DATED: July 18, 2011

